

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

EUGENE JOHNSON, Petitioner,

Plaintiff,

Case No. 3:06 CV 2816

-vs-

O R D E R

RICH GANSHEIMER, Warden,

Defendant.

KATZ, J.

This Court previously issued an order adopting the Magistrate Judge's Report & Recommendation (Doc. No. 18). Thereafter, Respondent was granted leave to file objections, which were filed and as to which Petitioner has filed a response (Doc. Nos. 20 & 24).

Having reviewed all the above noted filings, the Court finds the Respondent's objections unpersuasive and will reinstate its May 30, 2008 order adopting the Report & Recommendation granting Petitioner's request for an evidentiary hearing..

IT IS SO ORDERED.

S/ David A. Katz  
DAVID A. KATZ  
U. S. DISTRICT JUDGE